



DUMFRIES, VIRGINIA

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DUMFRIES TOWN COUNCIL REGULAR SESSION MINUTES MARCH 1, 2011, 7:00 PM

Present: Mayor Yohey, Vice-Mayor West, Councilors Barr, Foreman, Forrester, Jurgensen, Toney

Others Present: Kim Alexander, *Town Manager*; Cathy Holtzlander, *Asst. Town Manager*; Chief Taber, *Chief of Police*; Greg Tkac, *Dir. of Public Works*; Jatinder Khokhar, *Dir. of Community Development*; Debi Sandlin, *Dir. of Economic Development & Marketing*; Teresa Johnson, *IT Manager*; Linda Frye, *Property Maintenance Official*; Catherine Koslicki, *Town Clerk* and 20 citizens.

Mayor Yohey called the meeting to order at 7:03 PM, followed by the Invocation and the Pledge of Allegiance.

The following changes were made to the agenda:

- 6A discussion will take place in Closed Session
- 9F moved to March 15th meeting
- 12 add to (3) "and other real estate acquisitions" and (1) Personnel

CITIZEN COMMENTS

There were no citizen comments.

MAYOR COMMENTS

Mayor Yohey stated there was a DBA meeting tomorrow (3/2/11) and Debi Sandlin, Dir. Of Economic Development and Marketing will be the guest speaker.

INFORMATION ITEMS

a. Update regarding Tripoli Right-of-Way Acquisition, RDA

Vice-Mayor West made a motion to enter into closed session under Virginia Code § 2.2-3711A (3) Real Estate. Council Lady Forrester seconded the motion. On roll call the vote was unanimous, motion carried. Council entered closed session at 7:08 PM.

Vice-Mayor West read the certification to end the closed session and to return to open session. The motion was seconded by Council Lady Forrester. On roll call the vote was unanimous, motion carried. The Council returned to open session at 7:44 PM. There was nothing to report from Closed Session.

Councilman Toney asked the Chief to elaborate on the Kids Academy skills training. Chief Taber stated the training would cover four areas: bullying, gang activities, drug activities and internet safety. One of the goals is for the kids to see police as people. Another goal of the program will be to help parents recognize behavioral patterns early.

Mayor Yohey asked if there will be a cost associated with the program for the participants. Chief Taber stated they had already received a \$2000 grant and hopes to get support from local businesses to alleviate any cost to the kids. The Mayor asked how many students will participate. Chief Taber stated comfortably 25, but the program could be split into two sessions if needed.

Mayor Yohey asked about the current staffing level of DPD. Chief stated the department should have 12 full-time staff members to include 9 officers, 1 civilian manager and 2 civilian administrative personnel. There are currently 2 vacant officer positions and he has received unsolicited applications from area officers that are already certified.

- d. **Director of Public Works:** Mr. Tkac submitted his report as provided. He announced the next phase of the Multi-Modal Plan is ready to begin, which would include sidewalks on Fraley Blvd.

Vice-Mayor West thanked the DPW for the quick response to the trash and debris she reported on Possum Point Rd.

Councilman Foreman asked where (on Fraley Blvd) the sidewalks will be. Mr. Tkac stated they will run from Williamstown to Old Stage Coach Rd. He also stated the project will be lengthy because it will follow federal guidelines. He does not anticipate it being completed in one season. Councilman Foreman asked when the widening of RT. 1 will begin, how much money has been committed to the project and if there is anything the Council needs to do at this point. Mr. Tkac stated he has asked VDOT to "create the project" but he has already been notified that the project is not currently being funded by "Urban Allocation." He has already asked for funds from the Commonwealth Transportation Board. He advised Council to speak to the state and county representatives for support. The project will cost approximately \$40 million and there are no funds available at this time. Councilman Foreman asked Mr. Tkac to send all correspondence (regarding requests for funding for RT. 1 widening project) to the Council. Mr. Tkac agreed.

Vice-Mayor West asked for an update on the parking request made by the residents on Fairfax St. Mayor Yohey asked Mr. Tkac to describe the issue. Mr. Tkac stated the current parking does not allow for 2 spaces per townhome. As requested, the street will be made one-way (southbound on Fairfax St.) to allow for 2 spaces per townhome via diagonal parking. The project is scheduled to begin in July 2011. The Mayor asked if the residents had been notified. Mr. Tkac affirmed.

ADOPTION OF CONSENT AGENDA

Council Lady Forrester made a motion to adopt the consent agenda with a second by Council Lady Jurgensen. Ayes: Barr, Forrester, Jurgensen, Toney, West, Yohey; Nays: Foreman. Motion passed, 6-1.

Councilman Foreman stated he did not vote in favor of the motion because he had a few corrections and would like for those to be considered. He asked for the Clerk to amend the minutes from 2/15/11 (p.4, paragraph 3 under Discussion Items a. Mid-Year Budget Review) by adding his questions and the Town Manager's responses regarding the park clean-up, Tripoli and the purchase of additional property.

Council Lady Forrester made a motion to rescind her previous motion with a second by Council Lady Jurgensen. Upon the roll call, the vote was unanimous and the motion passed.

Council Lady Forrester made a motion to reconsider adoption of the consent agenda with amendments. Council Lady Jurgensen seconded the motion. Upon the roll call, the vote was unanimous and the motion passed.

ACTION ITEMS**a. Consider Approval of CUP Application for "Badr Academy"**

Mr. Khokhar recommended approval of the CUP application with the 26 conditions as submitted in his staff report. He stated the PC has also recommended approval of the CUP application. Their recommendation contained the 24 conditions proposed by previous staff and four additional conditions proposed by the PC.

Councilman Foreman asked if the CUP is approved, are the recommended conditions things the applicant shall do or should do. Mr. Khokhar advised the answer would be shall. He further explained that the applicant would be required to comply with any conditions approved by Council.

Vice-Mayor West stated she felt some of the proposed conditions were not feasible. (She cited conditions 1, 8 and 12 from the Staff recommendation as examples.)

Ms. Alexander stated she had submitted her recommendation and would advise Council not to approve the CUP. She cited four reasons:

1. The volume of traffic at the intersection of Main Street & Mine Road
2. The number of accidents at the location
3. The special exceptions (conditions) must be suitable or reasonable
4. A previous CUP application at the same location for the same use was denied in 2005 due to safety concerns.

Council Lady Barr, Councilman Toney and Vice-Mayor West all expressed safety as a concern. Councilman Toney stated a similar application for the same location had been previously denied (2005) due to safety concerns. He thanked the Town Manager for her report. He also wanted the Badr Community to know they are welcomed in the Town and he hopes they will consider Dumfries in their future plans for growth.

d. Consider a Resolution to Request Funds from the Regional Surface Transportation Program (RSTP)

Mr. Tkac stated the project (if approved) would start in 2012 and would allow for the design and construction of walkways along northbound RT. 1 between Williamstown and Stage Coach Rd. and southbound RT. 1 between RT. 234 and the existing sidewalk system on Main St.

Councilman Foreman asked if there would be additional cost to the Town. Mr. Tkac stated no. Councilman Foreman asked if the project would be paid for with grants only and Mr. Tkac affirmed. Vice-Mayor West asked if the grant was through PWC. Ms. Alexander affirmed.

Councilman Toney thanked Mr. Tkac on behalf of the citizens and stated this is a much needed project.

Mayor Yohey asked what material would be used. Mr. Tkac stated since the sidewalks would be temporary (due to the future widening of RT. 1) he would recommend asphalt.

Councilman Toney made a motion to adopt the Resolution to Request Funds from the Regional Surface Transportation Program (RSTP). The motion was seconded by Council Lady Barr. Upon the roll call, the vote was unanimous and the motion passed.

e. Consider approval of proposed Community Enhancement Program

Ms. Frye stated the purpose of the program would be to encourage residents and businesses to enhance their property and to recognize them for their efforts.

Council Lady Jurgensen stated she is in favor of the program but feels the criteria are too subjective and may need to be changed. Councilman Foreman agreed with Council Lady Jurgensen. He would like to see funding for the program identified as a budget line item and recommends the program begin with the new fiscal year (FY12). Council Lady Forrester agreed as well and recommended the program development move forward to allow for revision of the criteria. She offered her assistance (with the approval of the Town Manager) to Ms. Frye. Ms. Alexander agreed and Ms. Frye accepted.

Vice-Mayor West made a motion to authorize Ms. Frye and Mr. Khokhar to move forward for the Community Enhancement Program as recommended with funding to be outlined in the FY12 budget. A second was made by Council Lady Jurgensen. Upon the roll call, the vote was unanimous and the motion passed.

f. Consider 1st Reading of Proposed Ordinance Amendment to Section 70-9, relating generally to Certificates of Occupancy

Item was removed from the current agenda and will be placed on the March 15th agenda.

g. Consider 1st Reading of Proposed Ordinance Amendment to Chapter 30, Relating Generally to Fire Prevention and Protection

Ms. Alexander stated the purpose of the proposed ordinance amendment is to appoint the County Fire Marshal as the Town Fire Marshal. She advised Council the County Fire Marshal already works in this capacity but, the ordinance will make the practice formal.

CLOSED SESSION

Vice-Mayor West made a motion to enter into closed session under Virginia Code § 2.2-3711A(1) Personnel and (3) Real Estate regarding Graham Park Road property other real estate acquisitions. Council Lady Forrester seconded the motion. On roll call the vote was unanimous, motion carried. Council entered closed session at 10:44 PM.


Vice-Mayor West read the certification to end the closed session and to return to open session. The motion was seconded by Council Lady Forrester. On roll call the vote was unanimous, motion passed. The Council returned to open session at 11:49 PM.

Council Lady Forrester made a motion to authorize the Town Manager to move forward with the real estate transaction as discussed in closed session. The motion was seconded by Councilman Toney. On roll call the vote was unanimous, motion passed.

ADJOURN

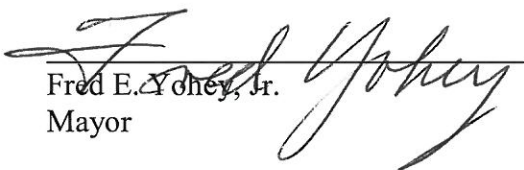
Vice-Mayor West made a motion to adjourn with a second by Council Lady Forrester. All Ayes. The meeting adjourned at 11:51 PM.

Minutes submitted by



Catherine H. Koslicki
Town Clerk

Approved by



Fred E. Yoney, Jr.
Mayor